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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/018,031	12/14/2001	Ryoichi Takahira	56937-042	5610
20277 7590 08/27/2007 MCDERMOTT WILL & EMERY LLP 600 13TH STREET, N.W. WASHINGTON, DC 20005-3096			EXAMINER VENT, JAMIE J	
			ART UNIT 2621	PAPER NUMBER
			MAIL DATE 08/27/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/018,031

Applicant(s)

TAKAHIRA, RYOICHI

Examiner

Jamie Vent

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 April 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-7 is/are pending in the application.
- 4a) Of the above claim(s) 2, 8-14 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 04/15
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

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DETAILED ACTION

Election/Restrictions

Applicant's election of claims 1 and 3-7 in the reply filed on March 13, 2007 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Claims 2, 8-14 withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected group, there being no allowable generic or linking claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi et al (US 5,581,363) in further view of Takada et al (US 5,715,104).

[claim 1]

In regard to Claim 1, Takahashi et al discloses a magnetic recorder/reproducer comprising:

- recording means for rotating a head cylinder at a rotational speed lower than such a rotational speed of said head cylinder that corresponds to said timing

(Column 4 Lines 15+ describes the speed lower of the recording and reproducing timing); however fails to disclose

- input signal converting means for modulating an input signal at a timing which corresponds to a predetermined number of tracks for each signal section to thereby convert said input signal into a recording signal.

??? teaches the use of a modulator as seen in Figure 46 element 153. The modulator allows for the encoding of the recording video data so as to be optimum data suitable for recording and reproducing. Furthermore, allows the track to coordinate to a predetermined track number as described in Column 6 Lines 55+. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the system of a magnetic recorder, as disclosed by Takahashi et al, and further incorporate a system that allows for the modulation of the input signal, as described by Takada et al.

[claim 3]

In regard to Claim 3, Takahashi et al discloses a magnetic recorder/reproducer wherein said recording means adjusts a transporting speed of said recording tape during recording corresponding to a set rotational speed of said head cylinder (Column 2 Lines 24-63 describes the adjustment of transport speed and corresponding to the rotational speed of the head cylinder).

[claim 4]

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In regard to Claim 4, Takahashi et al discloses a magnetic recorder/reproducer wherein said recording means sets a rotational speed of said head cylinder so that said each signal section may be sub-divided into such a number of deletion tracks that is obtained by dividing said predetermined number of tracks for each signal section by an integer smaller than said number of tracks (Column 4 Lines 16-63 describes the sub-dividing the tracks for determining recording tracks)

[claim 5]

In regard to Claim 5, Takahashi et al discloses a magnetic recorder/reproducer further comprising:

- first memory means; first write control means for writing said recording signal into said first memory means at a write timing which corresponds to said predetermined number of tracks for each signal section (Figure 5 shows the memory for the system that allows the writing of tracks and information to the system); and
- first read control means for reading said recording signal stored in said first memory means at a timing that corresponds to said number of deletion tracks and then supplying said number to said recording means (Column 2 Lines 45+ describes the read control means for the timing of the deletion of information).

[claims 6 & 7]

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In regard to Claims 6 and 7, Takahashi et al discloses a magnetic recorder/reproducer wherein said first write control means finely adjusts said write and read timing (Column 2 Lines 30+ describes the controlling and adjusting of the timing of the recorder)

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 5,359,471 – Hawegawa et al

US 5,083,225 – Morisaki et al

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamie Vent whose telephone number is 571-272-7384. The examiner can normally be reached on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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